

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

- - -
INTERWORK UNLIMITED : 2:17-cv-4983-AB-KS
INC., A CALIFORNIA :
CORPORATION, :
Plaintiff, :
vs. :
DIGITAL GADGETS, LLC, :
A NEW JERSEY LIMITED :
LIABILITY COMPANY, :
Defendant. :
- - -

Oral deposition of MEGHAN KANE,
taken at Saul Ewing, 1500 Market Street, 38th
Floor, Philadelphia, Pennsylvania 19102 on
Thursday, October 11, 2018, commencing at 2:40
p.m., before Kelly Harp, a Professional Court
Reporter and Notary Public.

Meghan Kane - October 11, 2018

23

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 Q Okay. At any point will QVC assign
6 different sku numbers to the same product?
7 A I don't know how to answer that
8 question. Yes and no. Yes, we will assign
9 different item numbers to the same product if
10 it's bought through two different vendors.

11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]

Meghan Kane - October 11, 2018

26

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]

17 Q If you look at Exhibit-Z1 in front
18 of you right now, do you recall which sku
19 number that you purchased from Interworks?

20 A T34604.

21 Q And looking at the sku numbers
22 assigned to products purchased from Digital
23 Gadgets, are you able to tell me which one is
24 the -- which one corresponds to the one you

Meghan Kane - October 11, 2018

27

1 purchased from Digital Gadgets?

2 A Not with 100 percent certainty, but
3 I believe it is T34764.

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

Meghan Kane - October 11, 2018

31

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]

4 Do you know if those
5 Hoverboards are still being sold by QVC?

6 A They are not.

7 Q They are not. Do you know when they
8 stopped being sold by QVC?

9 A I don't know when they stopped being
10 sold. Whenever the inventory sold out.

11 Q So this product sold until the
12 inventory sold out?

13 A Correct.

14 Q Do you know approximately how many
15 units of the item bearing T34764 were sold?

16 A I do not know.

17 Q At any period of time did QVC stop
18 selling the Hoverboards bearing sku number
19 T34674? I'm sorry, strike that. At any
20 period of time did QVC stop selling the
21 Hoverboards bearing sku number T34764?

22 A Only once the product was sold out.
23 There was no other pause in the sale of the
24 product.

Meghan Kane - October 11, 2018

34

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

[REDACTED]
[REDACTED]
[REDACTED]
BY MR. BEHNAM:

Q All right. As far as you know, were the Hoverboards bearing sku numbers T34604 and T34764 the same product?

A Yes.

Q So if you don't mind, tell me why these products have different sku numbers?

A When we purchased the product from Interworks under T34604, the product sold out, came into our warehouse and sold out of inventory. The Interworks team could not get the product back to our warehouse fast enough so they sold the product to Digital Gadgets which is why we had to create a second number because it was under a different vendor ID and Digital Gadgets drop shipped the product directly to the customer.

Q Just because it had a different vendor ID, it required a new sku number?

A Yes.

Q But otherwise, these products were

Meghan Kane - October 11, 2018

35

1 identical as far as you knew?

2 A As far as I knew, yes.

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

Meghan Kane - October 11, 2018

79

1 [REDACTED] [REDACTED]
2 [REDACTED]
3 [REDACTED] [REDACTED]
4 [REDACTED] [REDACTED]
5 [REDACTED] [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED] [REDACTED]
10 [REDACTED]
11 [REDACTED] [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 Q Okay. Do you know why sometime in
18 the fall of 2016 QVC began purchasing that
19 item from Digital Gadgets as opposed to
20 Interworks?
21 A Interworks had the product. They
22 couldn't deliver it in time to the QVC
23 warehouse before the holidays and Digital
24 Gadgets was able to buy the inventory and drop

Meghan Kane - October 11, 2018

80

1 shipped it directly to our customer before our
2 holiday shipping cut off.

3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]